

REMARKS

Claims 1-18 are pending in the application. Claims 1-18 have been amended, Claim 16 has been canceled, and Claims 19-20 have been added. The specification has been amended to correct minor typographical errors. Applicant respectfully requests reexamination and reconsideration of the pending claims in view of the amendments and remarks.

Specification

The Examiner objected to the specification because it does not include sub-titles. According to 37 C.F.R. § 1.77 (c), it is not required to include section headings in the specification, however, Applicant has accommodated the Examiner's request and amended the specification to include section headings.

The Examiner also objected to the specification because page 4 includes the word "said." Applicant has amended page 4 to remove the word "said." Applicant respectfully requests the Examiner to withdraw the objection to the specification.

Claim Objections

The Examiner objected to Claim 1 because of an informality. Applicant has amended Claim 1 to address the informality and respectfully requests the Examiner to withdraw this objection.

Claim Rejections – 35 U.S.C. § 112

The Examiner rejected Claim 1-18 under 35 U.S.C. § 112 as being indefinite. Applicant has amended Claim 1-3, 13, and 15 to address this rejection. Applicant respectfully requests the Examiner to withdraw this rejection.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected Claim 1-8 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 588,838 ("Savage").

Savage does not teach or suggest the subject matter of amended independent Claim 1. Specifically, Savage does not teach or suggest a fitting tool comprising a guide member which extends from the second face of the plate opposite to the first face, the guide member having at

least a central portion having a flat face in the same plane as the first surface of said first holding member. Rather, Savage discloses a belt-applying device including two sections A and B. Section A includes a groove A1 formed in its underside to receive section B, which is slidable in the groove A1. Section A also includes a lug A3 projecting downward therefrom. Section A also includes a lug A4 extending in the opposite direction of lugs B1 and A3 and adapted to retain the belt on section A. Section B includes a lug B1 projecting downward therefrom and in the same direction as lug A3. The sections A and B are adjusted such that the lugs B1 and A3 engage the pulley.

The lugs A3 and A4 are integral with section A and cannot be adjusted with respect to one another. Therefore, lug A3 cannot be in the same plane as lug A4.

Accordingly, amended independent Claim 1 is allowable. Claims 2-15 and 17-20 depend from Claim 1 and are therefore allowable for at least the reasons Claim 1 is allowable.

With respect to dependent Claims 6 and 7, the Examiner has used two different parts of the Savage device as referring to the claimed base plate. The Examiner identified section B of Savage as representing the claimed base plate, the lug A4 as representing the guide member, and B1 as representing the claimed second holding member. Based on this configuration, the lug A4 is not integral with section B. Rather, the lug A4 is integral with section A. Sections A and B are two separate parts as described above with respect to Claim 1. Accordingly, Claim 6 includes additional patentable subject matter.

Savage also does not teach or suggest the subject matter of dependent Claims 12 and 13. Specifically, Savage does not teach or suggest that the guide member extends substantially perpendicular to the second face of the base plate and has at least one flat surface forming an angle with the first holding member, this flat surface facing the outside of a perimeter delimited by the base plate and the first and second holding members, and being located at least partly outside of this perimeter. Rather, Savage discloses lug A4, which includes a single surface that extends perpendicular with respect to section A. Lug A4 does not include any surface that forms an angle with respect to lugs B1 or A3. Accordingly, Claims 12 and 13 includes additional patentable subject matter.

Savage also does not teach or suggest the subject matter of dependent Claim 18. Specifically, Savage does not teach or suggest that the central surface of the guide member extends substantially between two opposite edges of the base plate. Rather, Savage discloses the

lug A4 as being an edge of section A. The lug A4 cannot be positioned to be between the edges of section B. Accordingly, Claim 18 includes additional patentable subject matter.

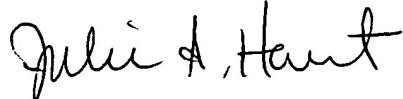
Allowable Subject Matter

Applicant appreciates the Examiner's indication that Claims 8-11 and 14-15 are allowable if rewritten in independent form and amended to overcome the 35 U.S.C. § 112 rejection.

CONCLUSION

Applicant respectfully requests entry of the above amendments. In view of the amendments and remarks, it is submitted that the application is in condition for allowance.

Respectfully submitted,



Julie A. Haut
Reg. No. 51,789

Docket No. 072211-9017-00
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560